



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
: NAGPUR BENCH : NAGPUR.

CRIMINAL APPLICATION [ABA] NO. 664 OF 2025

SHAIKH SOHAIL SHAIKH MUKHATAR

VERSUS

STATE OF MAH., THRU. P.S.O., P.S., NANDURA, DIST. BULDHANA

Office Notes, Office Memoranda of Coram,
appearances, Court's Orders or directions and
Registrar's order

Court's or Judge's Order

Mr. Matin R. Deshmukh, Advocate for the applicant
Mr. C. A. Lokhande, A.P.P. for the non-applicant/State

CORAM : M. W. CHANDWANI, J.
DATE : JANUARY 21, 2026.

1. Heard the learned counsel appearing for the applicant and the learned A.P.P. for the State.
2. The applicant is apprehending his arrest in connection with Crime No. 56/2025 registered with Police Station, Nandura, Dist. Buldhana for the offence punishable under Section 136 of the Electricity Act, 2003.
3. The contention of the applicant is that there is no material against the applicant. Only because the father of the applicant who was arrested in the crime has informed about bringing the electric wires of the complainant - Company, the applicant has been arrayed as accused in the crime. According to him, the stolen article has already been recovered. Nothing is required to be seized from the present applicant. Therefore, no custodial interrogation is required.
4. Learned APP opposed the application on the ground that the applicant is a habitual offender. Various offences

of similar nature are registered against the applicant. He prayed for rejection of the application.

5. Perusal of the case diary reveals that the complainant-Company came to know about the theft of electric wire and when raid was conducted at the godown owned by the father of the applicant, the stolen article i.e. electric wire was found. The father of the applicant was arrested. It appears that the father of the applicant informed the police that he does not run the godown. It is his son i.e. the present applicant who runs the godown. The electric wire was brought by his son. Since, the electric wire has been recovered, nothing is required to be recovered from the applicant. The offence with which the applicant is charged is punishable for imprisonment for three years.

6. Therefore, considering the nature of the allegation against the applicant and punishment prescribed for the alleged offence, more particularly when the electric wire has already been recovered; in my view, a case is made out for grant of anticipatory bail to the applicant.

7. Accordingly, the application is allowed.

8. In the event of arrest of applicant – Shaikh Sohail Sheikh Mukhtar in connection with Crime No. 56/2025 registered with Police Station, Nandura, Dist. Buldhana for the offence punishable under Section 136 of the Electricity Act, 2003, he be released on bail on furnishing a PR bond of Rs.25,000/- (Rupees Twenty Five thousand only) with one solvent surety in the like amount.

9. The applicant shall attend Police Station, Nandura, on 23rd, 28th & 30th January, 2026 between 10.00 am and 12.00 pm and cooperate with the investigation.
10. The applicant shall neither pressurize the prosecution witnesses nor tamper with the prosecution evidence in any manner.
11. Presence of applicant no.2 before the Investigating Officer be treated as custody within the meaning of Section 23 of the Bhartiya Sakshya Adhiniyan, 2023.
12. The application stands disposed of in the aforesaid manner.

(M.W.Chandwani, J.)

Diwale